

Serial No. 09/974,844  
Amdt. Dated February 2, 2005  
Reply to Office Action of November 5, 2004

Docket No. P-0265

### **REMARKS/ARGUMENTS**

Claims 1-35 are pending in this application. By this Amendment, the Abstract, specification, and claims 1, 6, 26, and 29 are amended, and claims 30-35 are added. The Abstract and specification are amended for clarification purposes. No new matter is added. Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

#### **I. Allowable Subject Matter**

The Examiner is thanked for the indication that claims 22-25 are allowed, and that claims 4-16, 18, 20-21, and 28 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, for the reasons set forth below, claims 4-16, 18, 20-21, and 28 have not been rewritten in independent form at this time.

#### **II. Rejection Under 35 U.S.C. §102(b)**

The Office Action rejects claims 1-3, 17, 26-27, and 29 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,491,507 to Umezawa et al. (hereinafter "Umezawa"). The rejection is respectfully traversed.

Independent claim 1 recites, *inter alia*, rotation means for rotating the image device unit in accordance with a rotation angle between the display body and the main body. Umezawa neither discloses nor suggests such features.

Umezawa discloses a hand held video telephone 1 including a first unit 49 rotatably coupled to a second unit 50 by a pair of hinges 51a and 51b, and a camera 61 mounted between the hinges 51a and 51b. The hinges 51a and 51b include supporters 53a and 53b formed on the second unit 50, each with a pin 56 which rotatably couples the supporters 53a and 53b to corresponding holes 54a and 54b in supporters 54a and 54b formed on the first unit 49. Pins 57 formed on each end of the camera 61 are fitted into the holes 54a and 54b of the first unit 49 supporters 54a and 54b, and torsion springs 55a and 55b are positioned between the camera 61 and the supporters 54a and 54b.

When in its closed state, a function arrangement surface 49a of the first unit 49 is positioned flat against a function arrangement surface 50a of the second unit 50. As the video telephone 1 is opened and the camera 61 is exposed, an optical axis X of the camera 61 bisects the angle formed between the first and second units 49 and 50 (see Figures 16A-16B of Umezawa). This optical axis X remains orthogonal to the longitudinal axis of the camera 61 as the telephone 1 is opened and the first and second units 49 and 50 rotate relative to the camera 61 and to one another (see column 15, lines 53-54 of Umezawa). More particularly, given the pin/hole structure shown in Figure 15 of Umezawa and discussed above, the longitudinal axis of

the camera 61 clearly forms the axis of rotation for the first and second units 49 and 50. Thus, as the telephone is opened, the first and second units 49 and 50 and the associated supporters rotate, while the camera 61 remains in a fixed position on its longitudinal axis and does not rotate. Therefore, Umezawa neither discloses nor suggests rotation means for rotating the camera 61 in accordance with a rotation angle between the first and second unit 49 and 50.

Accordingly, it is respectfully submitted that independent claim 1 is not anticipated by Umezawa, and thus the rejection of independent claim 1 under 35 U.S.C. §102(b) over Umezawa should be withdrawn. Rejected dependent claims 2-3 and 17, as well as objected to claims 4-16, and 20-21, are allowable at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features.

Further, it is respectfully submitted that independent claim 1 recites means plus function language, and thus should be interpreted under 35 U.S.C. § 112, sixth paragraph.

Independent claim 26 recites, *inter alia*, an image device unit configured to move together with the display body while an angle of the image device unit with respect to the display body is adjusted based on a prescribed relationship. As set forth above, Umezawa neither discloses nor suggests such features. More specifically, as set forth above, it is the first and second units 49 and 50 of the video telephone 1 disclosed by Umezawa which rotate, while the camera 61 remains fixed in its orientation along its longitudinal axis.

Accordingly, it is respectfully submitted that independent claim 26 is not anticipated by Umezawa, and thus the rejection of independent claim 26 under 35 U.S.C. §102(b) over Umezawa should be withdrawn. Rejected dependent claims 27 and 29, as well as objected to claim 28, are allowable at least for the reasons set forth above with respect to independent claim 26, from which they depend, as well as for their added features.

### **III. Rejection Under 35 U.S.C. §102(e)**

The Office Action rejects claims 1, 17, 26, and 29 under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,141,052 to Fukumitsu et al. (hereinafter "Fukumitsu"). The rejection is respectfully traversed.

Independent claim 1 recites, *inter alia*, rotation means for rotating the image device unit in accordance with a rotation angle between the display body and the main body. Fukumitsu neither discloses nor suggests such features.

Fukumitsu discloses a personal computer 10 including a main body 11 rotatably coupled to a display panel portion 14, and a camera 18 freely slideable and rotatably mounted in a mount groove 16 formed in the display panel portion 14. A first end of a rotational shaft 24 is fixedly attached to a body 19 of the camera, and a second end of the rotational shaft 24 is fixedly attached to a rotational ball 25. The rotational ball 25 is, in turn, slidably supported by a support member 17 positioned in the mount groove, which has at least two curved support surfaces 17b

which correspond to the curved surface of the rotational ball 25. An external force applied by an operator to the camera main body 19 is transmitted from the rotational shaft 24 to the rotational ball 25, and the camera main body 19 is turned through the action of the rotational ball 25 in the support member 17 to adjust an image pickup area of a lens portion 20 of the camera 18. When no external force is applied, the image pickup area remains fixed, and the camera 18 is maintained in its position due to a frictional force between the rotational ball 25 and the support member 17.

An image pickup range of the lens portion 20 of the camera 18 is selected and set by an operator, and an orientation of the camera is not based on a rotation angle between the display panel portion 14 and the main body 11 (see column 4, lines 35-43 of Fukumitsu). Further, the external force which adjusts the orientation of the camera 18 is applied by a user directly to the camera 18 through a hand adjustment of the camera main body 19 itself (see column 4, lines 18-26 of Fukumitsu). Thus, the rotation of the camera 18 is accomplished after, and independent of a rotation angle between the display panel portion 14 and the main body 11, and Fukumitsu neither discloses nor suggests rotation means as recited in independent claim 1.

Accordingly, it is respectfully submitted that independent claim 1 is not anticipated by Fukumitsu, and thus the rejection of independent claim 1 under 35 U.S.C. §102(e) over Fukumitsu should be withdrawn. Rejected dependent claim 17, as well as objected to claim 18, are allowable at least for the reasons set forth above with respect to independent claim 1, from

which they depend, as well as for their added features.

Further, it is respectfully submitted that independent claim 1 recites means plus function language, and thus should be interpreted under 35 U.S.C. § 112, sixth paragraph.

Independent claim 26 recites, *inter alia*, an image device unit configured to move together with the display body while an angle of the image device unit with respect to the display body is adjusted based on a prescribed relationship. As set forth above, Fukumitsu neither discloses nor suggests such features. More specifically, as set forth above, an image pickup area of the camera 18 disclosed by Fukumitsu is manually adjusted by an operator after the display panel portion 14 and main body 11 have been separated, and thus rotation of the camera 18 is independent of a position of the display panel portion 14.

Accordingly, it is respectfully submitted that independent claim 26 is not anticipated by Fukumitsu, and thus the rejection of independent claim 26 under 35 U.S.C. §102(e) over Fukumitsu should be withdrawn. Dependent claim 29 is allowable at least for the reasons set forth above with respect to independent claim 26, from which it depends, as well as for its added features.

#### **IV. Rejection Under 35 U.S.C. §103(a)**

The Office Action rejects claim 19 under 35 U.S.C. §103(a) as unpatentable over Fukumitsu. The rejection is respectfully traversed.

Dependent claim 19 is allowable over Fukumitsu at least for the reasons set forth above with respect to independent claim 1, from which it depends, as well as for its added features. Further, it is respectfully submitted that it would not have been obvious to modify Fukumitsu in the manner suggested by the Examiner to arrive at the apparatus as recited in independent claim 19. Accordingly, it is respectfully submitted that claim 19 is allowable over Fukumitsu, and thus the rejection of claim 19 under 35 U.S.C. §103(a) over Fukumitsu should be withdrawn.

**V. New Claims 30-35**

New claims 30-35 are added to the application. It is respectfully submitted that new claims 30-35 also define over the applied prior art references and meet the requirements of 35 U.S.C. §112.

**VI. Conclusion**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Carl R. Wesolowski, at the telephone number listed below. Favorable consideration and prompt allowance are earnestly solicited.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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**Amendments to the Drawings:**

The attached drawings include changes to Figure 4. This sheet, which includes Figure 4, replaces the original sheet including Figure 4. Figure 4 has been amended to correctly identify the fixing pins with reference numeral 45b.

Attachmenst: Replacement Sheet (1)  
Annotated Sheet Showing Changes (1)

This exploded perspective view shows the assembly of the mechanical components. At the top is a rectangular housing (31) with a circular opening (33) and a central lens or sensor (34). Below it is a control unit (45) with a keypad (45a) and a connector (45b). The control unit is connected to a base plate (53) via a pin (51). A lever arm (55) is pivoted to the base plate at point (53a) and is connected to a vertical rod (61) at point (57). The rod (61) is also pivoted at its lower end (61a) to a base plate (11) via a pin (59). A motor (58) is mounted on the base plate (11) and drives the rod (61) through a gear or coupling (59a). A nut (60) is shown at the bottom of the rod (61) to secure it.